

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES,	:	
	:	
– against –	:	MEMORANDUM DECISION AND ORDER
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DARRON LAMONT BENNETT,	:	11-CR-424 (AMD)
	:	
Defendant.	:	
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ANN M. DONNELLY , United States District Judge:		

On April 19, 2012, the defendant, Darron Bennett, pled guilty to a single count of distributing cocaine in violation of 18 U.S.C. § 841(a)(1). On July 19, 2013, Judge Gleeson sentenced the defendant to 120 months’ imprisonment and to four years of supervised release. (ECF No. 217.) The defendant was released from the Bureau of Prisons on October 11, 2019, and his term of supervised release expires on October 10, 2023. (ECF No. 337 at 29.)

Currently before the Court is the defendant’s motion for early termination of supervised release. (ECF No. 337.) The government does not oppose the motion. (ECF No. 338.) For the reasons set forth below, the defendant’s motion is granted.

LEGAL STANDARD

A district court may, in its discretion, “after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7),” grant a defendant’s motion for early termination of supervised release “after the expiration of one year of supervised release . . . if [the court] is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e). In particular, courts consider the nature and circumstances of the offense and the history and characteristics of the defendant, considerations of deterrence, incapacitation and rehabilitation of the defendant, the sentencing

range and policies in the Sentencing Commission's guidelines for the offense committed, the need to avoid unwarranted sentencing disparities among similarly-situated defendants, and the need to provide restitution to any victims of the offense. § 3553(a).

DISCUSSION

Early termination of supervised release is warranted in this case because it is in the interest of justice.

The defendant seeks early termination in order to secure a job promotion. (ECF No. 337-1.) He has worked as a driver for a California-based company for the past two years, and has been, according to his employer, "a well-respected employee" who has "excelled" in the position. (ECF No. 337 at 19.) His employer has offered him a promotion to "Account Executive," a role which would require him to travel out of state as needed. (*Id.*) This new position would also come with higher pay, which, as the defendant explains, will make him better able to provide for his family. (*Id.*; ECF No. 337-1.) He also argues that early termination is appropriate under the 3553(a) factors because, among other things, he has achieved the goals of supervision and that getting the promotion conforms to those goals. The job promotion presents a change in circumstances that, along with the defendant's successful reentry to the community post-release, warrants early termination.

Moreover, the probation officers overseeing the defendant's supervised release confirm that he has complied with the terms and conditions of his supervision. (ECF No. 337 at 3, 29.) He has paid the \$25,000 fine imposed on him at sentencing. (*Id.* at 24.) He also appears to have the support of his family, employer and community members, and the government does not object to the defendant's motion. (ECF No. 338.) I have considered the foregoing, as well as the relevant 3553(a) factors, and conclude that early termination of supervised release is appropriate in this case.

CONCLUSION

The defendant's motion for early termination of supervised release is granted.

SO ORDERED.

s/Ann M. Donnelly

ANN M. DONNELLY

United States District Judge

Dated: Brooklyn, New York
October 14, 2021